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UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

MICROSOFT CORPORATION and  
 ACTIVISION BLIZZARD, INC.,

Defendants.

Case No. 3:23-cv-02880-JSC

**DEFENDANTS' STATEMENT OF  
 WITNESSES AND EVIDENCE FOR JUNE  
 28, 2023, PURSUANT TO COURT ORDER  
 (ECF NO. 170)**

Dept.: Courtroom 8—19th Floor  
 Judge: Honorable Jacqueline S. Corley

Pursuant to the Court's Order Following June 21, 2023 Status Conference (ECF No. 170) ("Order"), Defendants Microsoft Corp. ("Microsoft") and Activision Blizzard, Inc. ("Activision") write to inform the Court that Defendants will call Dr. Elizabeth Bailey, Bobby Kotick, Satya Nadella, and Dr. Dennis Carlton as witnesses on Wednesday, June 28, 2023. Defendants understand that Plaintiff Federal Trade Commission ("FTC") also intends to call Satya Nadella and Jeff Fisher as witnesses on Wednesday, June 28, 2023. Jeff Fisher's testimony will be via deposition designation.

Defendants intend to use the following exhibits with these witnesses:

Witness	Exhibit	Declaration in Support of Sealing or Redacting the Exhibit <sup>1</sup>	Cross-Reference
Jeff Fisher	RX0299	N/A	N/A
Dr. Elizabeth Bailey	RX5055 (Dr. Bailey Expert Report)	<i>In camera</i> , ECF No. 232 at 3	ECF No. 109-6
Bobby Kotick	N/A	N/A	N/A
Satya Nadella	N/A	N/A	N/A
Dr. Dennis Carlton	RX5056 (Dr. Carlton Expert Report)	<i>In camera</i> , ECF No. 232 at 4	ECF No. 109-35
	PX5000 (Dr. Lee Corrected Expert Report)	<i>In camera</i> , ECF No. 232 at 4	ECF Nos. 12-25, 109-31
	PX5001 (Dr. Lee Rebuttal Report)	<i>In camera</i> , ECF No. 232 at 4	ECF No. 109-37
	Dr. Lee Written Direct Testimony	Redacted, ECF Nos. 232 at 4; 217 at 3:4, 3:10; 227 at 5-8	ECF No. 224

<sup>1</sup> Defendants do not seek to seal the exhibits that are listed here without citation to a supporting declaration.

Dated: June 27, 2023

Respectfully submitted,

By: /s/ Caroline Van Ness

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